

**ENTERED**

January 18, 2018

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

	)	MDL 2185
	)	Case No. 4:10-md-02185
	)	<b>This Document Relates To All</b>
	)	<b>Individual Actions</b>
	)	
	)	No. 4:12-cv-1256 (cons.)
	)	No. 4:12-cv-1272
	)	No. 4:12-cv-1837
	)	No. 4:12-cv-2362 (cons.)
	)	No. 4:12-cv-3621
	)	No. 4:12-cv-3714
	)	No. 4:12-cv-3715
	)	No. 4:13-cv-0069
	)	No. 4:13-cv-0129
<i>In re BP plc Securities Litigation</i>	)	No. 4:13-cv-0517
	)	No. 4:13-cv-0887
	)	No. 4:13-cv-1393
	)	No. 4:13-cv-3397
	)	No. 4:14-cv-01068
	)	No. 4:14-cv-01075
	)	No. 4:15-cv-02704
	)	No. 4:14-cv-01072
	)	No. 4:14-cv-01065
	)	No. 4:14-cv-00457
	)	No. 4:14-cv-01085
	)	No. 4:14-cv-01073
	)	No. 4:14-cv-01083
	)	No. 4:14-cv-01085
	)	No. 4:14-cv-01087
	)	No. 4:14-cv-00980

~~PROPOSED~~ **SCHEDULING/DOCKET CONTROL ORDER**

Anticipated Length of Trial:

The Parties anticipate that an estimate as to the timing and duration of trial(s) can be revisited at a later stage.

Jury: \_\_\_ Non-Jury: \_\_\_ (Jury trials demanded)


1. All Plaintiffs will produce certain documents responsive to the Defendants' First Request for Production of Documents, as agreed to between the parties and as memorialized in their

120 days after entry of this Order.

letter agreement dated December 28, 2017.	
<p>2. The Defendants will select eight representative Plaintiffs at their sole discretion, subject to the following conditions:</p> <p>a) Defendants shall select no more than two Plaintiffs represented by any firm with more than twenty clients pursuing individual actions.</p> <p>b) Defendants shall select no more than one Plaintiff represented by any other firms.</p>	45 days after the Plaintiffs substantially complete production of the documents described in Paragraph 1.
<p>3. The Individual Action Plaintiffs Steering Committee (created pursuant to the Court's order entered on December 11, 2013, Doc. No. 721) will select eight representative Plaintiffs at their sole discretion, subject to the same limitations on the Defendants' selection of representative Plaintiffs described in Paragraph 2 above. (The 16 Plaintiffs selected pursuant to Paragraphs 2 and 3 are referred to hereinafter as "Representative Plaintiffs.")</p>	45 days after the Defendants select Plaintiffs pursuant to Paragraph 2.
<p>4. A PROPOSED DEPOSITION PROTOCOL ORDER to govern the conduct of depositions to be noticed by the parties in the MDL 2185 individual actions must be submitted, reflecting competing proposals if/as needed.</p>	45 days after the Plaintiffs select Plaintiffs pursuant to Paragraph 3.
<p>5. FACT DISCOVERY will be completed concerning (a) the Representative Plaintiffs and (b) all Defendants. All documents must be produced 90 days before this deadline. Fact discovery for all Plaintiffs other than the Representative Plaintiffs ("Other Plaintiffs") will be deferred until such later time as agreed to by the parties or ordered by the Court.</p>	12 months after all Representative Plaintiffs have been selected pursuant to Paragraphs 2 and 3.
<p>6. MOTIONS SEEKING LEAVE TO AMEND, if any, must be filed by the Representative Plaintiffs.</p>	30 days following the end of fact discovery.
<p>7. EXPERT WITNESSES for the Plaintiffs (on all issues except those relating solely to reliance, causation, and damages of the Other Plaintiffs) will be identified by a report listing the qualifications of each expert, each opinion that the expert will present, and the basis for it.</p>	60 days following end of fact discovery.

8. EXPERT WITNESSES for the Defendants (on all issues except those relating solely to reliance, causation, and damages of the Other Plaintiffs) will be identified by a report listing the qualification of each expert, each opinion that the expert will present, and the basis for it.	60 days following production of Plaintiffs' expert report(s).
9. EXPERT DISCOVERY (on all issues except those relating solely to reliance, causation, and damages of the Other Plaintiffs), including depositions, completed.	45 days following production of Defendants' expert report(s).
10. DISPOSITIVE AND NON-DISPOSITIVE MOTIONS (except motions in limine) on all issues except those relating solely to reliance, causation, and damages of the Other Plaintiffs filed.	60 days after close of expert discovery.
11. OPPOSITIONS to dispositive and non-dispositive motions filed.	60 days after motions filed.
12. REPLIES on dispositive and non-dispositive motions filed.	45 days after oppositions filed.
13. JOINT PRETRIAL ORDER and MOTIONS IN LIMINE filed on all issues except those relating solely to reliance, causation, and damages of the Other Plaintiffs.	60 days after decision on dispositive motions.
14. OPPOSITIONS to motions in limine filed.	14 days after motions filed.
15. TRIAL(S) commences for actions not previously dismissed or transferred back to transferor forums at the close of discovery.	To be determined.

17 January, 2017

  
Keith P. Ellison  
United States District Judge